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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-eighth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Uzbekistan

1. At its 743rd and 744th meetings (see CRC/C/SR.743-744), held on 9 October 2001, the Committee on the Rights of the Child considered the initial report of Uzbekistan (CRC/C/41/Add.8), which was received on 27 December 1999, and adopted* the following concluding observations.

A. Introduction

2. The Committee notes that the State party's initial report was prepared according to the Committee's guidelines for reporting. However, it regrets that the report is essentially legalistic and does not provide a self-critical evaluation of the prevailing situation with regard to the exercise of children's rights in the country. It notes the timely submission of the detailed written answers to the list of issues. The Committee notes with appreciation the informative dialogue with the delegation.

B. Positive aspects

3. The Committee notes that the State party has ratified the six major international human rights instruments.

* At the 749th meeting, held on 12 October 2001

4. The Committee appreciates the fact that the State party has sought cooperation and assistance in the area of human rights from United Nations agencies and other international and regional organizations.

5. The Committee welcomes the call in President Karimov's address to the Parliament on 29 August 2001, for judicial and legal reform, including in the area of the administration of juvenile justice.

6. The Committee welcomes the establishment of new institutions, including the Family, Mother and Child Welfare Secretariat and the Committee for Youth Affairs. It further welcomes the adoption of new programmes such as the State programme to promote a healthy younger generation and to enhance the work of the minors' affairs commissions.

C. Factors and difficulties impeding the implementation of the Convention

7. The Committee notes that the State party continues to face serious economic, social and political challenges following independence, which are having a severe impact, especially on the most vulnerable groups in society. Furthermore, the ecological collapse of the Aral Sea has left about 500,000 people in a precarious state of food security and limited access to safe drinking water.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

8. While noting various legislative measures already taken or proposed with respect to child rights (for example, the 1998 Family Code, the 1996 Code of Administrative Liability, the 1996 Civil Code, the 1994 Criminal Code and the 1995 Labour Code), the Committee is concerned that they do not sufficiently reflect a comprehensive rights-based approach to the implementation of the Convention.

9. **The Committee recommends that the State party:**

(a) Consider children's rights, as granted by the Convention, as a priority;

(b) Undertake a comprehensive review of existing legislation, from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention;

(c) Consider adopting a comprehensive children's code incorporating the principles and provisions of the Convention.

Coordination

10. Despite the existence of several governmental committees which deal with children's issues (for example, the Women's Affairs Committee and the Minority Affairs Committee), there remains a lack of administrative coordination and cooperation at the national and local government levels.

11. **The Committee recommends that the State party:**

(a) Pursue the preparation, development and implementation of a comprehensive rights-based national plan of action for the implementation of the Convention, through an open, consultative and participatory process;

(b) Establish or appoint a single body to be responsible for ensuring intersectoral coordination and cooperation (at and between national and local levels of government) in the implementation of the Convention; and

(c) Provide adequate support to local authorities for the implementation of the Convention.

Cooperation with civil society

12. While noting the good government cooperation in the development and welfare sectors with national associations, bilateral aid agencies, international organizations and NGOs, the Committee is concerned that insufficient efforts have been made to involve civil society, particularly in the area of civil rights and freedoms, in the implementation of the Convention.

13. **The Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, including with respect to civil rights and freedoms, ill-treatment and juvenile justice. The Committee recommends that the State party:**

(a) Consider involving civil society, especially children's associations, systematically throughout all stages of the implementation of the Convention, in particular with respect to civil rights and freedoms;

(b) Ensure that the 1999 Law on Non-Governmental Non-Commercial Organizations conforms to article 15 of the Convention and to other international standards on freedom of association, as a step towards facilitating and strengthening their participation.

Data collection

14. The Committee is concerned that disaggregated data on persons under 18 years relating to the rights contained in the Convention are not systematically collected and used effectively to assess progress and design policies to implement the Convention.

15. **The Committee recommends that the State party:**

(a) Establish a mechanism to collect and analyse systematically disaggregated data on all persons under 18 years for all areas covered by the Convention, including those in the most vulnerable groups (for example, refugee and asylum-seeking children, children of different ethnicity, children living in remote areas, children with disabilities and children of economically disadvantaged households);

(b) Seek technical assistance from, among others, UNICEF.

Monitoring structures

16. The Committee notes the establishment of the Ombudsman by the 1997 Law on the Authorized Person of the Oliy Majlis for Human Rights. However, it is concerned that:

The mandate of the Authorized Person does not provide for regular monitoring and evaluation of progress in the implementation of the Convention;

The Law of 1997, which empowers the Authorized Person to receive and address complaints, does not provide for an effective mechanism to address complaints relating to violations of rights guaranteed under the Convention, particularly complaints from children.

17. **The Committee recommends that the State party:**

(a) Ensure the independence of the institution of the Authorized Person is secured, as also recommended by the Human Rights Committee (see CCPR/CO/71/UZB);

(b) Strengthen its support for the Authorized Person, including through the provision of adequate human and financial resources, so as to comply with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), and so as to include monitoring and evaluating progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and address them effectively;

(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

Resource allocation

18. The Committee is concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

19. **The Committee recommends that the State party:**

(a) Systematically assess the impact of budgetary allocations on the implementation of child rights, and disseminate information in this regard;

(b) Ensure the allocation and distribution - to the maximum extent possible - of resources at the national and local levels, where needed within the framework of international cooperation;

(c) Consider obligations under the Convention in all aspects of its negotiations with international financial institutions and other donors, to ensure that the economic, social and cultural rights of children, particularly children belonging to the most vulnerable groups, are well observed.

Training/dissemination of the Convention

20. The Committee notes various efforts undertaken with international and regional organizations in the area of human rights training. However, it is concerned that the level of awareness of the Convention amongst professionals working with and for children, and the general public, including children themselves, remains low. The Committee is concerned that the State party is not undertaking adequate dissemination and awareness-raising activities in a systematic and targeted manner.

21. **The Committee recommends that the State party:**

(a) Develop an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(b) Develop systematic and ongoing training programmes on human rights, including children's rights, for all professional groups working for and with children (for example, judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel);

(c) Continue cooperation with regional and international organizations in this regard, ensuring that the Convention is included in the subject matter;

(d) Continue to seek assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

2. Definition of the child

22. Noting that a person reaches the age of majority at 18 years under the 1996 Civil Code, the Committee is concerned about:

Inconsistencies with other legislation and government decisions (for example, Cabinet Ministers Decision No. 319 of 24 June 1994 in relation to disability assistance paid to disabled children up to 16 years);

Differences in the minimum age for marriage of males and females under the 1998 Family Code;

The inadequate enforcement of minimum-age standards (i.e. with respect to early marriage, purchase of alcohol, etc.).

23. **The Committee recommends that the State party review its legislation so that the definition of the child and minimum-age requirements conform to the principles and provisions of the Convention, are gender neutral, are explicit and are effectively enforced by law.**

3. General principles

24. The Committee notes the important role of the Makhallas at the local level in all matters of family law and protection of children, including juvenile justice. However, the Committee is concerned at the lack of information on their role in the implementation of the general principles of the Convention.

25. **The Committee recommends that the State party:**

(a) Educate Makhalla committees on the principles and provisions of the Convention, and ensure that those principles and provisions are reflected in the decision-making procedures of these committees; and

(b) Include in its next periodic report information on the rules and regulations governing the activities of these committees, not only in areas relating to family law and juvenile justice, but in the distribution of financial assistance, as well.

The right to non-discrimination

26. The Committee is concerned at the prevailing disparities in the enjoyment of rights of children in Uzbekistan. In particular, the Committee is concerned:

At the situation of children belonging to the most vulnerable groups (for example, refugee, asylum-seeking and internally displaced children, children belonging to minorities, disabled children and those living in institutions, and in regions of the country lagging behind in socio-economic development);

That the guarantee of non-discrimination in article 2 of the Convention may be jeopardized, for example by social security laws which effectively deprive non-citizens of rights to social security benefits and impose fees which may inhibit access to health and education services.

27. **The Committee recommends that the State party:**

(a) Ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Prioritize and target social services for children belonging to the most vulnerable groups.

28. The Committee is concerned that in practice the system of residence registration in Uzbekistan may restrict the rights of children belonging to vulnerable groups (for example, refugees, non-citizens, migrants and persons internally displaced owing to conflict or economic or environmental factors) to access to health care and other social services. In particular, the Committee is concerned that because these rules are issued in various forms (decrees, regulations, instructions, etc.), they may not be sufficiently clear and may be open to abuse by officials reluctant to see migrants settle in their jurisdiction.

29. **The Committee recommends that the State party:**

(a) Ensure that the registration system is clear and precise and does not pose a barrier to access to services, particularly for the most vulnerable groups;

(b) Consider the experience of States that have replaced the propiska system with systems which comply to international standards in the area of freedom of movement.

30. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee is concerned that de facto discrimination on the grounds of gender exists in Uzbekistan and expresses its concern at the persistence of stereotypical attitudes relating to the roles and responsibilities of women and men.

31. **The Committee encourages the State party to launch comprehensive public education campaigns to prevent and combat gender discrimination, particularly within the family.**

32. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow-up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of General Comment No. 1 on article 29.1 of the Convention (aims of education).**

Respect for the views of the child

33. The Committee is concerned that traditional attitudes towards children in society at large may limit the exercise of the rights contained in article 12 of the Convention, especially within the family.

34. **The Committee recommends that the State party:**

(a) Continue to promote and facilitate, within the family, institutions, schools, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for teachers, social workers and local officials to support children expressing their informed views and opinions, and to have them taken into consideration;

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Religion

35. The Committee emphasizes that the human rights of children cannot be realized independently from the human rights of their parents, or in isolation from society at large. The Committee notes the 1998 Law on Freedom of Conscience and Religious Organizations, and recent amendments to the Civil and Criminal Codes relating to the freedom of religion. In the light of article 14 of the Convention, the Committee is concerned that restrictions on the freedom to manifest one's religion, particularly Islam, do not comply with the requirements outlined in article 14, paragraph 3.

36. **The Committee recommends that the State party take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.**

Access to information

37. In the light of article 13 (the child's right to seek, receive and impart information) and article 17 of the Convention (the right of access to information, including information and material from a diversity of cultural, national and international sources), the Committee is concerned that stringent registration and licensing requirements for the media and publications, as well as restrictions on Internet access, do not comply with article 13, paragraph 2, of the Convention.

38. **The Committee recommends that the State party take all effective measures, including enacting or rescinding legislation where necessary, to ensure that the child's freedom of expression and the right of access to information are guaranteed and implemented.**

Torture and inhuman or degrading treatment or punishment

39. The Committee is deeply concerned by numerous and continuing reports of ill-treatment of persons under 18 by the militia, including psychological intimidation, corporal punishment, including for purposes of extorting confessions. The Committee deplores the insufficient efforts to investigate allegations of torture, as well as the failure to prosecute alleged perpetrators.

40. **In the light of article 37 of the Convention, and recalling the Code of Conduct for Law Enforcement Officials, adopted by the General Assembly in its resolution 34/169 of 17 December 1979, the Committee urges the State party to:**

(a) Take all necessary effective steps to prevent incidents of ill-treatment from occurring;

(b) Implement the recommendations made by the Human Rights Committee (CCPR/CO/71/UZB), and the Committee against Torture (A/55/44, paras. 76-81);

(c) Provide the militia with training on how to deal with persons under 18;

(d) Ensure children are adequately informed of their rights when they are arrested and detained;

(e) Ensure that complaints procedures are simplified so that responses are appropriate, timely and child-sensitive, and provide rehabilitative support for victims.

5. Family environment and alternative care

Children deprived of a family environment

41. The Committee expresses its concerns that:

A high number of children, especially children with disabilities, are abandoned, or are otherwise deprived of a family environment;

Foster care, or other forms of family-based alternative care, is not sufficiently developed and available, with the result that children are placed in institutions;

Institutions (for example, "infants' homes"), because of lack of resources, provide children with very low quality housing and care;

The location and features of institutions do not facilitate family contact;

Effective mechanisms for children to communicate concerns and complaints about their placement are lacking;

There is no follow-up of children who have left institutional care.

42. **The Committee recommends that the State party:**

(a) Take effective measures, including the development of strategies and awareness-raising activities, to reduce and prevent the abandonment of children;

(b) Promote the family as the best environment for the child, through counselling and community-based programmes to assist parents to keep children at home;

(c) Take effective measures to increase and strengthen foster care, family-type foster homes and other family-based alternative care;

(d) Place children in institutions only as a last resort;

(e) Take all necessary measures to improve conditions in institutions;

(f) Ensure that children living there enjoy all the rights laid down in the Convention, including the right to maintain personal relationships and direct contact with their parents and families on a regular basis;

(g) Provide support and training for personnel in institutions, including social workers;

(h) Establish effective mechanisms to receive and address complaints from children in care, to monitor standards of care and to establish regular periodic review of placement;

(i) Provide adequate follow-up and reintegration services for children who leave institutional care.

43. The Committee is concerned about:

The lack of national standards, particularly in relation to foster and adoptive family screening;

The lack of mechanisms to review, monitor and follow up adoptions, and collect statistics on foster care and adoption, including intercountry adoption;

The practice of secret adoption.

44. **The Committee recommends that the State Party:**

(a) Establish a comprehensive national policy and guidelines governing foster care and adoption;

(b) Establish a central monitoring mechanism in this regard;

(c) Ensure that adopted children who have reached the age of majority have the right of access to the identity of their biological parents;

(d) Accede to the 1993 Hague Convention on the Protection of Children and Co-operation in respect of Intercountry Adoption.

Violence/abuse/neglect/maltreatment

45. The Committee is concerned that there is insufficient information and awareness of the ill-treatment and abuse of children within the family, in schools and in institutions.

46. **The Committee recommends that the State party:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address them;

(b) Take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse of children in the family, in schools and in institutions, taking into account the WHO "European strategies and recommendations for child protection";

(c) Carry out public education campaigns on the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Establish effective mechanisms and procedures to receive, monitor and investigate complaints, including intervention where necessary;

(e) Investigate and prosecute instances of ill-treatment, ensuring that the abused child is not further victimized in legal proceedings and that his/her privacy is protected;

(f) Provide care, recovery and reintegration for victims;

(g) Train teachers, law-enforcement officials, care workers, judges and health professionals in the identification, reporting and management of cases of ill-treatment;

(h) Seek assistance from, among others, UNICEF and WHO.

Domestic violence

47. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee expresses concern about the prevalence of violence against women, particularly domestic violence, and that this has harmful consequences on children.

48. **The Committee recommends that the State party:**

(a) Take effective measures to implement the Committee on the Elimination of Discrimination against Women's general recommendation 19 on violence against women;

(b) Give attention to addressing and overcoming socio-cultural barriers that inhibit victims from seeking assistance;

(c) Undertake training on gender issues for all public officials, in particular law-enforcement officials and the judiciary, local government and mahallyas officials.

6. Basic health and welfare

49. While noting efforts to strengthen the primary health sector, the Committee is nevertheless concerned at the deterioration in the health of the most vulnerable groups, especially women and children, and in particular at:

The high infant mortality rates;

The high under-five mortality rates;

The high maternal mortality rates;

The high incidence of infectious diseases, such as tuberculosis, despite high rates of immunization;

The fact that accidents and injuries are a main cause of mortality and morbidity among children and that children in rural and disadvantaged regions, such as Karakalpakstan and Khorezm, suffer the most.

50. **The Committee recommends that the State party:**

(a) Ensure that its commitment to primary health care is met by adequate allocation of human and financial resources, and that all children, especially from the most vulnerable groups, have access to health care;

(b) Continue and strengthen implementation of the WHO Promoting Effective Perinatal Care strategy, to address high maternal, infant and child mortality;

(c) Ensure full implementation of the Integrated Management of Childhood Illnesses strategy;

(d) Implement WHO recommendations and guidelines, such as "Essential newborn care and breastfeeding", "First action plan for food and nutrition", and "Feeding and nutrition of infants and young children", to address nutritional deficiencies;

(e) Implement the 2000 Amsterdam Declaration to Stop TB and the Strategy to Roll Back Malaria in the European Region;

(f) Implement the recommendations of the WHO report, "Childhood injuries - a priority area for the transition countries of Central and Eastern Europe and the newly independent States";

(g) Continue to cooperate with and seek assistance from, among others, UNICEF and WHO.

51. With regard to adolescent health, the Committee is concerned at the increasing number of teenage pregnancies and the consequent number of abortions among girls under 18. The Committee notes that various factors, including cultural attitudes and lack of personal knowledge and communication skills on the part of parents may be barriers to obtaining accurate reproductive health information and counselling. The Committee is also concerned at the rise in rates of STDs, particularly syphilis, gonorrhoea and HIV/AIDs. It is also concerned with rising substance abuse and tobacco use among adolescents.

52. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this as a basis to formulate adolescent health policies and programmes;

(b) Ensure adolescents have access to and are provided with education on reproductive health and other adolescent health issues, including mental health, as well as with child-sensitive and confidential counselling services;

(c) Consider participating in the European Network of Health Promoting Schools;

(d) Seek assistance from, among others, UNICEF and WHO.

53. In the light of article 24 of the Convention, the Committee expresses its concern at problems of poor access to safe water and food security, exposure to toxic chemicals, and other hazards arising from the Aral Sea disaster, which negatively impact upon the health of children in the Karalpakstan region.

54. **In the light of article 24 (c) of the Convention, the Committee recommends that the State party take all appropriate measures, including seeking international cooperation, to prevent and combat the damaging effects of environmental degradation on children, including pollution and contamination of water supplies.**

Children with disabilities

55. The Committee notes the 1991 Law on Social Protection of the Disabled and the draft programme of medical and social rehabilitation of the disabled (2001-2005). However, it is concerned at the prevailing poor situation of children with disabilities. In particular, it is concerned at:

The practice of institutionalizing children with disabilities;

That education is predominantly segregated;

That access to special services such as rehabilitation is limited and severely strained;

There is insufficient support for families;

Information from the delegation that pregnancies are commonly terminated when foetuses show signs of disability upon screening.

56. **The Committee recommends that the State party:**

(a) Review existing policies and practice in relation to children with disabilities, taking due account of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its Day of general discussion on children with disabilities (CRC/C/69, para. 338);

(b) Promote alternative measures to prevent disability;

(c) Provide early childhood care and special education for children with disabilities;

(d) Make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes and reunification of children with their parents;

(e) Undertake awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities;

(f) Give attention to combating negative societal attitudes towards disabled children;

(g) Give adequate support, supervision and training to persons working with these children;

(h) Seek assistance from, among others, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

57. The Committee is concerned at:

The low level of pre-school enrolment;

Declining enrolment and high drop-out, repetition and absenteeism rates in primary and secondary schools;

Disparities according to gender and region;

Deterioration in infrastructure;

Deterioration in the quality of education, especially of teaching and the curricula.

58. **The Committee recommends that the State party, taking due account of the Committee's General Comment No. 1 on the aims of education:**

(a) Undertake greater efforts to allocate the required human and financial resources to, inter alia, improve infrastructure, expand the provision of learning materials and supplies and improve teachers' salaries;

(b) Revise the school curricula to reflect a child-centred, active-learning approach;

(c) Promote the importance of early childhood care and development programmes, especially among low-income households, and stimulate informal community pre-school schemes in this regard;

(d) Promote the participation of parents and communities, especially ethnic minorities, in school governance, to improve enrolment rates and monitor the quality of education;

(e) Introduce human rights, including the Convention, into the school curricula, including at the primary school level;

(f) Seek assistance from, among others, UNICEF and UNESCO.

8. Special measures of protection

Refugees and displaced persons

59. In accordance with article 23 of the Constitution, which guarantees non-citizens and stateless persons rights and freedoms in accordance with international law, the Committee

welcomes the inclusion of a chapter on refugees in the draft law on migration. However, the Committee is concerned that there is no existing legal framework for the protection of refugees.

60. **The Committee recommends that the State party:**

(a) Ensure that the draft law conforms to article 22 of the Convention and other international standards on the protection of and assistance for refugee children, expedite its promulgation and ensure its effective implementation;

(b) Consider acceding to the 1951 Convention Relating to the Status of Refugees, its 1967 Protocol, and the 1954 and 1961 Conventions on statelessness;

(c) Continue and strengthen its cooperation with UNHCR.

Armed conflict

61. The Committee expresses its concern at the negative impact on children of reported military operations in the country (for example, in the Surkhandarya region, which involved the relocation of villagers, and the mining of Uzbek-Tajik border areas).

62. **In the light of article 38 and other relevant articles of the Convention, the Committee recommends that the State party:**

(a) At all times ensure respect for human rights and humanitarian law aimed at the protection and care of children affected by armed conflict;

(b) Provide physical rehabilitation and psychological recovery measures for these children.

Street children

63. The Committee notes that the negative effects of the current economic crisis and consequent deterioration in the family environment have resulted in an increasing number of street children in Tashkent and other cities.

64. **The Committee recommends that the State Party:**

(a) Take effective measures to ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training in order to support their full development;

(b) Ensure that street children are provided with recovery and reintegrative services for physical, sexual and substance abuse, and services for reconciliation with their families;

(c) Undertake a study on the causes and scope of the phenomenon and establish a comprehensive strategy in cooperation with civil society with the aim of preventing and reducing this phenomenon;

(d) Seek assistance from, among others, UNICEF.

Economic exploitation

65. The Committee is concerned at the insufficient information on children who work, including in the informal sector, such as in agriculture. It is also concerned that children involved in cotton harvesting may be at risk of exposure to hazardous work conditions.

66. **The Committee recommends that the State party:**

(a) Undertake a national survey on the causes and extent of child labour;

(b) Establish a minimum age for admission to employment, in accordance with the principles and provisions of the Convention, that is, in conformity with the age for completion of education, and ensure that it is enforced. Employers should be required to have, and to produce on demand, proof of the age of all children working on their premises;

(c) Establish a mechanism to monitor the implementation of standards which is empowered to receive and address complaints of violations;

(d) Carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards;

(e) Consider ratification of ILO Conventions No. 138 on the minimum age for admission to employment, and No. 182 on the worst forms of child labour;

(f) Seek assistance from ILO.

Sexual exploitation

67. The Committee is concerned at the insufficient data and awareness concerning the phenomenon of sexual exploitation of children in Uzbekistan.

68. **The Committee recommends that the State party:**

(a) Undertake a national study on the nature and extent of sexual exploitation of children (i.e. sale of children, child prostitution and child pornography) and that disaggregated data be compiled and kept up to date to serve as a basis for designing measures and evaluating progress in this area;

(b) Review its legislation and ensure that it criminalizes the sexual exploitation of children, is gender neutral and penalizes all offenders involved, whether local or foreign, while ensuring that the child victims are not penalized;

(c) Ensure that legal procedures are simplified so that responses are appropriate, timely and sensitive to victims;

(d) Establish recovery and social reintegration programmes for child victims;

(e) Train personnel working with child victims;

(f) Carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation.

Administration of juvenile justice

69. The Committee is concerned about insufficient information in the area of juvenile justice, and it is particularly concerned about:

Children arrested and held in custody without being able to exercise their right to a lawyer;

Children subjected to ill-treatment and unlawful investigative methods;

The length of pre-trial detention;

Conditions in detention centres and penal colonies in Uzbekistan;

Treatment in special schools for juveniles (for example, the Special School for Girls No. 4, Kokand).

70. **The Committee recommends that the State party:**

(a) Establish a minimum age of criminal responsibility in accordance with the principles and provisions of the Convention;

(b) Ensure that the criminal justice system fully integrates into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(c) Ensure that children are not arbitrarily arrested, that deprivation of liberty is only used as a measure of last resort, for the shortest possible time, is authorized by the court and that persons under 18 are not detained with adults;

(d) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(e) Consider alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(f) Train professionals in the area of rehabilitation and social reintegration of children;

(g) Seek assistance from, among others, the Office of the High Commissioner for Human Rights, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

71. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of the reports

72. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.**